

UNITED STATES OF AMERICA,)
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 Plaintiff,)
)
 v.)
)
 BASHIR YASIN MOHAMUD, et al.)
)
 Defendants.)

v.)
)
BASHIR YASIN MOHAMUD, et al.)
)
Defendants.)

The offenses in Counts One and Two are of the same or similar character that joinder would be proper under Rule 8. Yet, the Order severing Defendants Bashir Yasin Mohamud and Mustafa Ahmed Mohamed was under Fed. R. Crim. P. 14 that requires severance where trying a defendant with others would be unduly prejudicial. The Court concluded that these two Defendants, who are charged only with sex trafficking of an adult, would be prejudiced by a joint


trial with the other Defendants who are also charged with sex trafficking of minors.

The Order does not exclude any proof of the sex trafficking against any Defendant who is charged with the sex trafficking of minors and an adult, as reflected in the Court's Memorandum, (Docket Entry No. 1394 at 19). The Order does not impact in any manner the elements of the proof. The Order at issue is based upon a factual finding of prejudice.

For these reasons, the United States's motion to reconsider (Docket Entry No. 1582) is respectfully **DENIED**.

It is so **ORDERED**.

ENTERED this the 28th day of February, 2012.



WILLIAM J. HAYNES, JR.
United States District Judge